

smith & hopen, p.a.

15950 Bay Vista Drive, Suite 220
Clearwater, Florida 33760
727.507.8558 Tel
727.507.8668 Fax
www.baypatents.com

Fax

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Johnny Dan Cherry - Art Unit 3652	Client:	1053.18
Fax:	(703) 872-9326	Pages:	4 including coversheet
Phone:	(703) 308-1113	Date:	November 19, 2002
Re:	USSN 09/681,814	CC:	David W. Pratt
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle			

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

Docket No. 1053.18

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David W. Pratt

Serial No.: 09/681,814

Filed: 06/11/2001

For: Dual Function Baller

Art Unit: 3652

Examiner: Johnny Dan Cherry

FAX RECEIVED

NOV 19 2002

Faxed to Technology Center 3600 at (703) 872-9326
Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

GROUP 3600

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

2. Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

Official

Reg. No.: 28,761
Customer No.: 21,901

SIGNATURE OF PRACTITIONER

Ronald E. Smith
Smith & Hopewell, P.A.
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760
(727) 507-8558

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Technology Center 3600, Art Unit 3652, Attn: Johnny Dan Cherry, (703) 872-9326 on November 19, 2002.

Dated: November 19, 2002

Deborah Proza


(Amendment Transmittal - page 1)

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8)

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Technology Center 3600, Art Unit 3652, Attn: Johnny Dan Cherry, (703) 872-9326 on November 19, 2002.

Dated: November 19, 2002


Deborah Preza

Official

FAX RECEIVED

NOV 19 2002

GROUP 3600

Docket No.: 1053.18

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of: David W. Pratt

Serial No.: 09/681,814

Art Unit: 3652

Filed: 06/11/2001

Examiner: Johnny Dan Cherry

For: DUAL FUNCTION BAILER

Faxed to Technology Center 3600 at (703) 872-9326
Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed October 21, 2002, having a shortened statutory period for response set to expire November 21, 2002 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects the species of Figure 2. The claims readable thereon are 1-6, 9 and 12. This election is made without traverse.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH & HOPEN

Dated: November 19, 2002

cc: David W. Pratt

By: RLE

Ronald E. Smith
Suite 220
15950 Bay Vista Drive
Clearwater, FL 33760
(727) 507-8558
Attorneys for Applicant